IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 4TH JULY 2007 / 13TH ASHADHA 1929

RP.No. 502 of 2007()

AGAINST THE JUDGEMENT IN MFA.30/2003 Dated 08/12/2006
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PETITIONER/APPELLANT

MARTIN @ MATHEW, S/O DEVASSIA,
KANDAYIKODATH HOUSE, NEENDOOR,
VADAKKEKKARA, PARAVUR TALUK,
ERNAKULAM DISTRICT.

BY ADV. SRI.G.BALAMURALEEDHARAN (PARAVUR)
SRI.MATHEWS V.JACOB (PARAVUR)
SRI.N.T.NANDAKUMAR (PARAVUR)

RESPONDENTS:
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1. MRS.PREMI RAPPAI, W/O RAPPAI,
PULLADAN HOUSE, CHEERACHIKKULAM,
OLLUR P.O., THRISSUR DISTRICT.

2. P.A.BABU, S/O ANTONY,
PERINCHERY HOUSE, OLLUR P.O.,
THRISSUR DISTRICT.

3. ORIENTAL INSURANCE CO. LTD.,
BRANCH OFFICE, MAHESWARI BUILDINGS,
M.G.ROAD, THRISSUR-1.

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 04/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.S.RADHAKRISHNAN & M.N.KRISHNAN, JJ

R.P. 502/2007
IN
M.F.A.30/2003

Dated this the 4th day of July, 2007

ORDER

M.N.Krishnan, J.

This Review Petition is filed seeking to review the judgment passed by this Court dated 8.12.2006. The appeal was dismissed at the admission stage on the ground that the Tribunal has properly followed the evidence and found that the petitioner had sustained 30% disability on account of the loss of vision. Now it is submitted that 40% of disability has to be taken. But absolutely no materials are placed at that point of time and, therefore, now it cannot be considered and the award passed by the Tribunal is sustainable and does not require interference.

Therefore, the Review Petition is dismissed.

K.S.RADHAKRISHNAN
Judge

M.N.KRISHNAN
Judge

mrcs